

WORLDCOM

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October 16, 2000

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OCT 16 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
The Portals, 445 Twelfth Street, SW
Washington, DC 20554

RE: Implementation of the Subscriber Carrier Selection Changes Provisions of the
Telecommunications Act of 1996, CC Docket No. 94-129; Policies and Rules
Concerning Unauthorized Changes of Consumers Long Distance Carriers;
WORLDCOM, Inc. Request for Waiver and Expedited Treatment.

Dear Ms. Salas:

Enclosed for filing is an original and four (4) copies of WorldCom, Inc.'s Petition
for Expedited Waiver of the Commission's Rules in the above captioned proceeding.

In addition, please stamp the enclosed file copy and return to bearer.

Respectfully submitted,

Elizabeth Yockus

Elizabeth Yockus
(202) 887-3087

Enclosure

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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

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In the Matter of

Implementation of the Subscriber Carrier Selection Changes Provision of the Telecommunications Act of 1996

Policies and Rules Concerning Unauthorized Changes of Consumers Long Distance Carriers

WORLDCOM, Inc. Request for Waiver

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC Docket No. 94-129

PETITION FOR EXPEDITED WAIVER OF COMMISSION'S RULES

Pursuant to §64.1150 of the Commission's rules, prior to submitting a preferred carrier change, carriers must either: (1) obtain the subscriber's written authorization; (2) obtain confirmation from the subscriber via a toll-free number provided exclusively for the purpose of confirming orders electronically; or (3) utilize an independent third party to verify the subscriber's order.¹ WORLDCom, Inc. (WorldCom) hereby petitions on behalf of MCI WorldCom Communications, Inc. (MCI WorldCom Communications), a wholly-owned subsidiary of WorldCom, for waiver of the Commission's verification rules to allow it to transfer the subscribers of Touch 1 Long Distance, Inc. (Touch 1), a wholly owned subsidiary of WorldCom, to the MCI WorldCom Communications customer base without first obtaining each subscriber's authorization and verification.

Due to corporate restructuring WorldCom would like to discontinue providing service under the Touch 1 name and would like to transfer the Touch 1 customers to MCI WorldCom Communications which is another subsidiary of WorldCom. If the required authorizations have been granted, the

¹ See 47 C.F.R. §64.1150.

conversion will take place on December 16, 2000. At the time of conversion, Touch 1 will cease to exist and MCI WorldCom Communications will remain the surviving entity. In order to maintain continuity of service for the Touch 1 customers WorldCom seeks a waiver of the Commission's preferred carrier change regulations.

Section 64.1150 of the Commission's rules requires prior customer consent before a new long distance provider may serve the customer. WorldCom seeks a waiver of this requirement in order to provide seamless service to the Touch 1 customer base. Waiver of the Commission's rules is appropriate if special circumstances warrant a deviation from the general rule, and such deviation will serve the public interest.² Therefore, in light of the merger between Touch 1 and MCI WorldCom Communications and in order to provide Touch 1 customers with seamless service, WorldCom seeks a waiver of § 64.1150 requirements in order to allow the Touch 1 customers to be served by MCI WorldCom Communications without prior customer approval.

Furthermore, WorldCom, on behalf of MCI WorldCom Communications, makes the following commitments to administer the transfer of the customer base, ensure that customers are notified of the changes and have an opportunity to change to a long distance provider of their choice. Touch 1, in cooperation with MCI WorldCom Communications, will send letters³ to all Touch 1 customers notifying them that Touch 1 will no longer be serving as a domestic presubscribed long distance carrier, and beginning on December 16, 2000, all "1+" calls from telephone lines previously served by Touch 1 and calling card calls will be completed by MCI WorldCom Communications. The Touch 1 customers will be informed that they will receive the same or better rates than those which they were receiving from Touch 1 without interruption and without need for action and there will be no fee associated with the transfer from Touch 1 to MCI WorldCom Communications. The Touch 1 customers will also be

² Northeast Cellular Telephone Co. V. FCC, 897 F.2d 1164, 1166 (D.C. Cir. 1990); WAIT Radio v. FCC, 418 F.2d 1153, 159 (D.C. Cir. 1969).

reminded that they are under no obligation to take service from MCI WorldCom Communications, and that each customer is free to select another company to transmit their long distance calls.

Additionally, after the December 16, 2000 conversion to the services of MCI WorldCom Communications, MCI WorldCom Communications will send a "welcome letter"⁴ to the affected customers with information concerning MCI WorldCom Communications' services and rates. The welcome letter will inform the customer that the customer should not be charged any fee by the local phone company as a result of the change to MCI WorldCom Communications, and if any such fee is imposed, MCI WorldCom Communications will issue a credit for such charge to the customer. The welcome letter will also provide the former Touch 1 customers with an 800 number to assist them if they have any questions regarding the transfer of their service. Finally, the welcome letter will inform the customers that MCI WorldCom Communications will investigate, respond to, and attempt to cure any complaints of former Touch 1 customers.

With these commitments, WorldCom's waiver request is fully consistent with the Commission's prior actions granting waivers in similar circumstances. Waiver of the Commission's verification rules in this instance allows MCI WorldCom Communications to provide a seamless transition to former Touch 1

³ See attachment 1 for the sample notification letter.

⁴ See attachment 2 for the sample welcome letter.

customers, while ensuring that the affected customers clearly understand available choices. The Commission should grant WorldCom's request for expedited waiver of the Commission's verification rules delineated in §64.1150 of the Commission rules.

Respectfully submitted,

WORLD.COM, Inc..

A handwritten signature in black ink, appearing to read "Elizabeth Yockus". The signature is written in a cursive, flowing style.

Elizabeth Yockus
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